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4 **UNITED STATES DISTRICT COURT**  
5 **DISTRICT OF NEVADA**

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7 KEN ROBERTS,  
8 Plaintiff,

2:10-CV-01538-PMP-PAL

9  
10 vs.

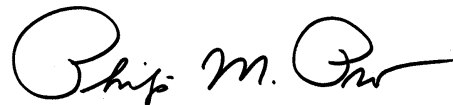
11 JAMES GREG COX, et al.,  
12 Defendants.

**ORDER**

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14 **IT IS ORDERED** that Plaintiff Ken Roberts' Motion to Certify Class Action  
15 (Doc. #2), filed on September 8, 2010, is **DENIED**.

16 **IT IS FURTHER ORDERED** that Plaintiff Roberts shall within thirty days  
17 of the date of this Order, file an Application to Proceed *In Forma Pauperis*. In the  
18 event Plaintiff fails to do so this action will be **DISMISSED**.

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20 DATED: October 22, 2010.

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23 PHILIP M. PRO  
24 United States District Judge  
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